

**Alabama Security Regulatory Board**

**NOTICE OF INTENDED ACTION**

**AGENCY NAME:** Alabama Security Regulatory Board

**RULE NO. & TITLE:** 832-X-1 Administration and Procedure

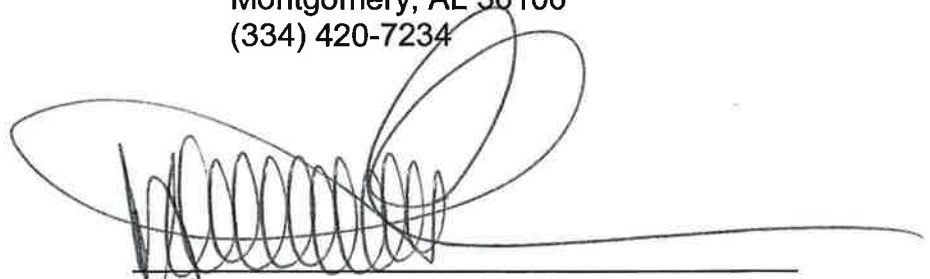
**INTENDED ACTION:** Amend

**SUBSTANCE OF PROPOSED ACTION:** The Board proposes to amend these rules to comply with the changes in Act # 2013-349 and the add language to the training requirements for fire arms training.

**TIME, PLACE, MANNER OF PRESENTING VIEWS:** Written comments will be received by the Board until 4:00 p.m. on Tuesday, February 4, 2014. Comments should be directed to Keith E. Warren, Executive Director at 2777 Zelda Road, Montgomery, AL 36106 or via electronic mail at [keith@warrenandco.com](mailto:keith@warrenandco.com) or via telephone at 334-420-7234.

**FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:**  
Tuesday, February 4, 2014.

**CONTACT PERSON AT AGENCY:** Keith E. Warren  
Executive Director  
2777 Zelda Road  
Montgomery, AL 36106  
(334) 420-7234



Keith E. Warren, *Executive Director*  
Alabama Security Regulatory Board

REC'D & FILED

NOV 25 2013

LEGISLATIVE REF SERVICE

**TRANSMITTAL SHEET FOR  
NOTICE OF INTENDED ACTION**

Control \_\_\_\_\_ Department or Agency: Alabama Security Regulatory Board

Rule No.: 832-X-1

Rule Title: Administration and Procedure

\_\_\_\_\_ New X Amend \_\_\_\_\_ Repeal \_\_\_\_\_ Adopt by Reference \_\_\_\_\_

Would the absence of the proposed rule significantly  
Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the state's  
Police power and the protection of the public health,  
Safety, or welfare? Yes

Is there another, less restrictive method of regulation  
Available that could adequately protect the public? No

Does the proposed rule have the effect of directly or  
Indirectly increasing the costs of any goods or services  
Involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public  
Than the harm that might result from the absence of  
The proposed rule? No

Are all facets of the rulemaking process designed solely  
For the purpose of, and so they have, as their primary  
Effect, the protection of the public? Yes

\*\*\*\*\*  
Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be  
accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-  
22-23, Code of Alabama, 1975.

\*\*\*\*\*  
Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the  
requirements of Chapter 22, Title 41, Code of Alabama, 1975, and that it conforms to all  
applicable filing requirements of the Administrative Procedure Division of the Legislative  
Reference Service.

Signature of certifying officer 

Date: November 25, 2013

(DATE FILED)  
(STAMP)

## Chapter 832-X-1 ADMINISTRATION AND PROCEDURE

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**832-X-1-.01 Definitions.** As used by the Alabama Security Regulatory Board, the following words and phrases shall have the following meanings respectively.

- (1) References to Statute. Unless otherwise indicated, any reference to any statute shall be a reference to the Code of Alabama 1975, as amended.
- (2) Act. Act 2009-640, codified as Code of Alabama 1975, §34-27C
- (3) Applicant. Any business or person that has applied to the Board for licensure or certification.
- (4) Conviction. The entry of a plea of guilty or a guilty verdict rendered by any court of competent jurisdiction.
- (5) Moral turpitude. For the purposes of the Act, this term shall mean any, sexual offense, violent offense, controlled substance or narcotics offense, or any offense involving theft, theft of services, extortion, receiving stolen property, identity theft, forgery, ~~negotiating worthless negotiable instruments~~, fraud, tampering with records,

bribery, perjury, or any similar offense in any jurisdiction.

- (6) Under Contract. For the purposes of §34-27C-1(9), this term shall mean the performance of any regulated service or activity for wages. Nothing in this definition or any other section of the Act shall be interpreted to create or require an employment contract between any person and any Contract Security Company.
- (7) Undefined words or terms. Words or terms not otherwise explicitly defined by statute or rules adopted by the Board shall have the usual, customary and reasonable meaning of the word or term as commonly interpreted in general business communications.
- (8) Business Manager. An employee of a Contract Security Company who exercises managerial authority in order to accomplish the business goals of the Contract Security Company.
- (9) Contact Hour. A minimum of 50 minutes of instruction given to class attendees in a 1 hour time period.
- (10) Uncertified Trainers. Any person other than a Certified Trainer with the experience, knowledge, skill or abilities to conduct a course of instruction relevant to Board training requirements.
- (11) Independent Instructor Certifying Authority: an established business entity, other than a manufacturer, that has a multi-year documented history of providing training to criminal justice agencies and officers.
- (12) Less Lethal Weapon: any tool, implement, instrument, device, or object where the primary means of utilization is to impart less-than-lethal physical force or coercion against a person by any means; including, but not limited to, impact instruments, defensive chemical sprays, and electroshock devices.
- (13) Restraints: any tool, implement, instrument, device, or object where the primary means of utilization is intended to limit the freedom of movement of a person; including,

but not limited to; handcuffs, leg irons/cuffs, thumbcuffs, disposable restraints, hobbles, or similar.

- (14) Lesson Plan. A detailed description of a course of instruction.
- (15) Training Record. Any document containing information related to the conduct of, attendance at, failure or successful competition of any Board required training; to include, but not limited to, lesson plans, class attendance and/or sign-in sheets, class handouts, overhead projector sheets, any local computer files used during any period of instruction, information necessary to identify and/or locate any web-based material/video used, test materials, test score sheets and any other similar documents.
- (16) Qualification Attempt. Firing a shot to begin a Board approved course of fire with the intent to meet a Board firearm qualification requirement.

**Author:** Alabama Security Regulatory Board

**Statutory Authority:** Code of Ala. 1975, §34-27C-3(a)(1)

**History:** Adopted August 19, 2010; Amended September 16, 2010.  
Amended: June 29, 2012; Effective: August 3, 2012.

**832-X-1-.02 General rules.**

- (1) Description of organization; Method of operation; Public requests for information and submissions.
  - (a) The Alabama Security Regulatory Board is organized as prescribed in Act 2009-640 as codified in Code of Ala. 1975, §34-27C, and is vested with the authority to carry out the provisions of the Act.
  - (b) The Board meets at such times as shall be necessary to conduct the affairs of the Board. Meetings of the Board shall comply with the provisions of the Alabama Open Meetings Act.
  - (c) The public may request information from or make submission to the Board by contacting the Administrative Office of the Board in writing at Alabama Security Regulatory Board, ~~610 S. McDonough Street, Montgomery, AL 36104~~ 2777 Zelda Road Montgomery, AL 36106.
- (2) Current information required by the Board.
  - (a) Every Contract Security Company, every person licensed or certified by the Board, and every applicant shall keep the Board advised of a proper and current mailing address by reporting any change of address in writing to the Board.
- (3) Payments to the Board
  - (a) Direct payments to the Board shall be made by certified or cashier's check, money order, or a business check issued by a currently licensed Contract Security Company as payer, to the Alabama Security Regulatory Board as payee.
  - (b) Online payments shall be made by credit or debit card.
  - (c) Any dishonored payment shall be grounds for denial of licensure or certification or immediate suspension of an existing license or certification of any individual submitting a dishonored payment to the Board, of any Contract Security Company issuing a dishonored business check to the Board, or both.
1. Dishonored checks shall be assessed the maximum bad check charge permissible under §8-8-15.

2. Charges for any other dishonored payment type shall be assessed a charge equivalent to the fee charged to the Board plus any additional fees required to raise the total assessed charge to equal the maximum bad check charge permissible under §8-8-15.
  3. Any person or business issuing any dishonored payment to the Board shall make full payment of the amount of the dishonored payment and any charges assessed by the Board prior to any further action by the Board on any matter related to the dishonored payment.
  4. The Board may refuse to accept any additional payments by business check from any person or entity that submits more than one dishonored payment to the Board.
- (4) Fraudulent information submitted to the Board.
    - (a) All information, verifications, certifications, records, data or material submitted to the Board shall be factually truthful.
    - (b) Submission of any information, verification, certification, record, data, or material to the Board that is materially false shall be grounds for denial of a license or certification, revocation of an existing license or certification, and may be referred for criminal prosecution at the discretion of the Board.
  - (5) Acceptable terms similar to Security officer
    - (a) For the purposes of §34-27C-12, the terms 'Security Guard', 'Security Enforcement Officer', 'Security Protection Officer', and 'Custom Protection Officer' shall be acceptable terms similar to 'Security Officer'.
  - (6) Pistol Permits.
    - (a) A valid 'pistol license', 'pistol permit', or similar license or permit issued in the State of Alabama or any state offering unrestricted reciprocity for State of Alabama pistol license or permit holders shall meet the 'pistol permit' requirement of §34-27C-11.
    - (b) Sworn peace officers are exempt from the pistol permit requirement of §34-27C-11.

- (7) Any person licensed by the Board, including a temporary license, who is ~~arrested~~ convicted of a crime, other than a traffic violation, for any reason shall report the ~~arrest~~ conviction to the Board ~~on the first business day following the arrest~~ within seven (7) business days following the conviction.

**Author:** Alabama Security Regulatory Board

**Statutory Authority:** Code of Ala. 1975, §34-27C-3(a)(1)

**History:** Adopted August 19, 2010; Amended September 16, 2010.  
Amended: June 29, 2012; Effective: August 3, 2012.



### **832-X-1-.03 Procedures.**

- (1) The Alabama Administrative Procedures Act.
  - (a) The Alabama Administrative Procedures Act shall be the procedural code for the operations of the Board.
  - (b) Any rule adopted by the Board is intended, and shall be construed, to be substantively and procedurally in compliance with the provisions of the Alabama Administrative Procedures Act.
- (2) Severability.
  - (a) If any rule of the Board, or any part thereof, is construed by any court to be invalid for any reason it is the intention of the Board that each rule, or portion thereof, are severable and that any remaining rules, and any parts thereof, shall continue in full force and effect.
- (3) Declaratory rulings.
  - (a) A petition for a declaratory ruling from the Board shall be submitted to the Board as provided for in, and following the procedures of, the Alabama Administrative Procedures Act
  - (b) The Board shall not issue a declaratory ruling if a petition for a declaratory ruling is not submitted in compliance with the Alabama Administrative Procedures Act; if the Board lacks jurisdiction; if there is a lack of clarity of the issue presented; or if no clear answer is determinable.
- (4) Civil actions.
  - (a) The Board may institute a civil action for an injunction with penalties and costs against any business or person alleged to be in violation of the Act or rules of the Board by a majority vote of the Board.
- (5) Method of delivery of notice of Board actions.
  - (a) Notice of Board actions shall be delivered by first class mail, postage prepaid, to be effective upon deposit of the notice in the mail.

**Author:** Alabama Security Regulatory Board

**Statutory Authority:** Code of Ala. 1975, §34-27C-3(a)(1)

**History:** Adopted August 19, 2010

**832-X-1-.04 Applications; licensure and certification.**

**(1) General licensure or certification.**

- (a) Any person or entity covered by the Act shall apply to, receive from, and maintain a license or appropriate certification from the Board.
- (b) Unless otherwise provided for, an applicant for a license or certification shall cease to provide regulated services in the State immediately upon receipt of notice that licensure or certification has been denied by the Board.
- (c) No personal license or certification shall be issued prior to the Board receiving the applicant's criminal background information.
- ~~(1) Any business or person who voluntarily submits to regulation by the Board shall comply with the same requirements as a business or person mandated to be regulated by the Board.~~
- ~~(a) A business or person who voluntarily submits to regulation by the Board shall notify the Board of their intent by submitting the appropriate application to the Board, accompanied by a separate document declaring an irrevocable intent to be regulated by the Board.~~

**(2) Temporary license or certification.**

- (a) Applicants for a license ~~or certification~~ with the Board shall retain a certified copy of the ~~completed application as submitted to the Board as a temporary license or certification~~ until a license ~~or certification~~ is issued or denied by the Board.
- 1. An applicant for a Company License shall post and display a ~~temporary license~~ at all times in all business offices of the applicant within the State. ~~until a license is issued or denied by the Board.~~
- 2. An applicant for personal license ~~or certification~~ shall carry their temporary license ~~or certification~~ on their person at all times they are performing any regulated service or activity in the State until a license or certification is issued or denied by the Board.
- (b) A complete and notarized original 'ALABAMA SECURITY REGULATORY BOARD, TEMPORARY PERSONAL LICENSE' cut-/tear-off

form located at the bottom of the last page of the 'Personal License Application' is a temporary license for the purposes of this section.

~~(3)~~ **(3) Applications for a Contract Security Company license.**

- (a) Any Contract Security Company not providing regulated services or activities in the State of Alabama on the date that the Board begins accepting applications shall apply to the Board prior to providing regulated services or activities in the State.
- (b) Any Contract Security Company providing regulated services or activities in the State of Alabama on the date that the Board begins accepting applications shall apply to the Board on or before the 30th calendar day after the Board begins accepting applications.
- (c) Any application for a Contract Security Company license received at the offices of the Board after the applicable date specified in (a) or (b) of this sub-section shall be assessed to a non-refundable late fee.
  - 1. The late fee must be paid in full before the Board can issue a Contract Security Company license.
- (d) A request for a replacement of a Contract Security Company license must be received in writing, along with a fee.

**(4) Applications for a personal license.**

- (a) An individual's personal license application must be received at the offices of the Board on or before the 30th calendar day the applicant performs any regulated service or activity in any calendar year.
- (b) Any application for a personal license received at the offices of the Board after the 30th calendar day the applicant performs any regulated service or activity in any calendar year shall be assessed a non-refundable late fee.
  - 1. The late fee must be paid in full before the Board can issue a personal license ~~or certification~~.
- (c) A request for a replacement of a personal license must be received in writing, along with a fee.

**(5) Applications for special licensure who works for six months or less.**

- (a) An individual who qualifies for this license must complete a personal application, including all required documents, to include but not limited to any employment and training documents that are requested by the Board, within 10 days of performing any regulated service or activity.
- (b) The one-time license fee for this license is \$100.00.
- (c) The special license holder must submit a renewal form along with all required documents, to include but not limited to any employment and training documents that are requested by the Board, every two years from the issuance of the original license. There will be no renewal fee assessed to any special license.

**~~(4) (6) Applications for Certification as a Qualifying Agent or a Certified Trainer.~~**

- (a) ~~Applications for certification as a Qualifying Agent or a Certified Trainer must be received at the offices of the Board prior to the applicant performing any regulated service or activity.~~
- (b) ~~Any application for a certification license received at the offices of the Board after the applicant performs any regulated service or activity shall be assessed a non-refundable late fee.~~
  - 1. ~~The late fee must be paid in full before the Board can issue a personal license certification.~~

**~~(5) Denial, suspension, or revocation of a license or certification; appeals.~~**

**~~(a) Denial~~**

- ~~1. Issue or renewal of a license or certification may be denied by the administrative staff of the Board following rules adopted by the Board.~~
- ~~2. Issue or renewal of a license or certification may be denied by the Board by a majority vote of the Board.~~

**~~(b) Suspension~~**

- ~~1. A license or certification may be suspended by the Board by a majority vote of the Board.~~
- ~~2. A vote by the Board to suspend a license or certification pending a revocation hearing shall be considered an emergency suspension as a danger to public safety under §41-22-19(d) and shall be effective immediately upon notice from the Board.~~
- ~~3. A license or certification may be suspended by the administrative staff of the Board for failure to pay any fine assessed by the Board within 15 calendar days of final notice of the assessment.~~

~~(c) Revocation.~~

- ~~1. A license or certification may be revoked by the Board by a majority vote of the Board upon notification of pending revocation via certified mail, to the last known address of the licensee.~~

~~(d) Appeals.~~

- ~~1. An appeal of a denial, suspension or revocation of a license or certification by the Board shall be considered a contested case as defined by, and for the purposes of, the Alabama Administrative Procedures Act. Any person or entity aggrieved by any final action of the board may appeal to the Circuit Court of Montgomery County.~~

~~(6) Grounds for denial of a license or certification.~~

~~(a) The following shall be grounds for denial of a license or certification.~~

- ~~1. Failure to meet any requirement established by law or by rule adopted by the Board.~~
- ~~2. Engaging in fraud, misrepresentation, deception, or concealment of a material fact in applying for, receiving, or maintaining a license or certification with the Board.~~
- ~~3. Having a disqualifying conviction as defined by the Board.~~
- ~~4. Failure to pay all fees required by the Board.~~
- ~~5. Making any payment to the Board that is dishonored.~~

- ~~6. Having a comparable license or certification denied, revoked, suspended in any other jurisdiction.~~
- ~~7. Having a formal disciplinary action pending in any jurisdiction before any regulatory authority that is comparable in purpose to the Board.~~
- ~~8. Any other reason as determined by the Board that a Contract Security Company or person is unsuitable for licensure or certification by the Board.~~
- ~~9. Any other reason authorized by law.~~

~~(7) Grounds for denial of a license or certification renewal.~~

- ~~(a) The following shall be grounds for denial of a license or certification renewal.~~

- ~~1. Any grounds for denial of a license or certification.~~
- ~~2. Failure to comply with any refresher training requirements.~~
- ~~3. Having a disciplinary action pending before the Board.~~
- ~~4. Having a suspended or revoked license or certification.~~

~~(8) Grounds for suspension of a license or certification.~~

- ~~(a) The following shall be grounds for suspension of a license or certification.~~

- ~~1. Grounds as specified in §34-27C-5(a).~~
- ~~2. Failure to pay any fine assessed by the Board within 15 calendar days of final notice of the assessment.~~
- ~~3. Engaging in fraud, misrepresentation, deception, or concealment of a material fact when submitting any information, verification, certification, data, record or material required by the Board.~~
- ~~4. Having a similar license or certification suspended or revoked in any other jurisdiction.~~
- ~~5. When there is probable cause to believe that a licensed Contract Security Company or a person with a current license or certification from the Board has violated the Act or any rule adopted by the Board pending a revocation hearing.~~

~~(9) Grounds for revocation of a license or certification.~~

~~(a) The following shall be grounds for revocation of a license or certification.~~

~~1. Grounds as specified in §34-27C-5(a).~~

~~2. Being convicted of any disqualifying conviction after receiving a license or certification from the Board.~~

~~3. Having a similar license or certification revoked in any other jurisdiction.~~

~~4. When it is determined by the Board, pursuant to the provisions of the Alabama Administrative Procedures Act, that a licensed Contract Security Company or a person with a current license or certification from the Board has violated the Act or any rule adopted by the Board.~~

**Author:** ~~Alabama Security Regulatory Board~~

**Statutory Authority:** ~~Code of Ala. 1975, §34-27C-3(a)(1)~~

**History:** ~~Adopted August 19, 2010; Amended September 16, 2010~~

## 832-X-1-.05 Disqualifying Convictions

### ~~(1) Misdemeanor Convictions~~

~~(a) Any person convicted of any misdemeanor crime of violence or any misdemeanor offense involving moral turpitude shall not be eligible for a license or certification from the Board within five (5) calendar years of their most recent conviction.~~

~~(1) The Board shall not issue a license or certification to any person who is required to register as a Sex Offender in any State.~~

~~(2) The Board shall not issue an Armed Security Officer license or Certified Trainer 2 certification to any person who is prohibited from possessing a firearm by any section of State law or the federal Gun Control Act of 1968 (18 U.S.C. Chapter 44), as amended.~~

### (1) Felony Convictions

(a) Any person convicted of a felony offense will not be eligible for a license from the Board, unless a full pardon has been granted.

### (2) Misdemeanor Convictions

(a) Any person convicted of a misdemeanor offense involving moral turpitude or any similar offense, excluding all sexual and violent offenses (see Section (b) and (c)), will not be eligible for a license from the Board within five (5) calendar years of their most recent conviction, unless a full pardon has been granted.

(b) Any person convicted of a misdemeanor violent offense will not be eligible for a license from the Board within (10) calendar years of their most recent conviction, unless a full pardon has been granted.

(c) Any person convicted of a misdemeanor sexual offense will not be eligible for a license from the Board, unless a full pardon has been granted.



- (3) The Board will not issue or renew a license to any person who is required to register as a sex offender in any State or competent jurisdiction.
- (4) The Board will not issue or renew Armed Security Officer license or Certified Trainer 2 certification to any person who is prohibited from possessing a firearm by any section of any state law or the federal Gun Control Act of 1968 (18 U.S.C. Chapter 44), as amended.

**Author:** Alabama Security Regulatory Board

**Statutory Authority:** Code of Ala. 1975, §34-27C-3(a)(1)

**History:** Adopted August 19, 2010. Amended: June 29, 2012;  
Effective: August 3, 2012.

**832-X-1-.06 Qualifying Agents.**

- (1) Any person designated as a Qualifying Agent must be personally licensed by the Board as a Security Officer or Armed Security Officer.
- (2) A Qualifying Agent shall be responsible for all regulated activities of the Contract Security Company in which they are a Qualifying Agent ~~for~~.
- (3) At the discretion of the Board, a Qualifying Agent may be personally disciplined by the Board, the Qualifying Agent's ~~certification~~ may be suspended or revoked by the Board, and a Qualifying Agent may be referred for criminal prosecution for violations of the Act or rules adopted by the Board by Qualifying Agent or the Contract Security Company they are a Qualifying Agent ~~for~~.

**Author:** Alabama Security Regulatory Board

**Statutory Authority:** Code of Ala. 1975, §34-27C-3(a)(1)

**History:** Adopted August 19, 2010

**832-X-1-.07 Certified Trainers.**

- (1) Certified Trainers.
  - (a) Designation as a Certified Trainer shall be a certification for purposes of §34-27C-4(e).
  - (b) The Board shall certify two levels of Certified Trainer; Certified Trainer 1 and Certified Trainer 2.
    - 1. A Certified Trainer 1 shall meet all of the qualifications specified in §34-27C-9 and shall be qualified to conduct all Board-required training except firearms training.
    - 2. A Certified Trainer 2 shall meet all of the qualifications of §34-27C-9; shall submit to the Board proof that the person is certified as a Law Enforcement Firearm Instructor by the Alabama Peace Officers Standards and Training Commission, Federal Bureau of Investigation, the Federal Law Enforcement Training Center, or the National Rifle Association; and shall be qualified to conduct all Board-required training including firearms training.
    - 3. A Certified Trainer certification expires two years from the date of issuance.
  - (c) Certified Trainer fees.
    - 1. Each person submitting a Certified Trainer 1 application shall pay a nonrefundable fee ~~of one hundred dollars (\$100.00)~~ to the Board upon application.
    - 2. Each person submitting a Certified Trainer 2 application shall pay a nonrefundable fee ~~of two hundred dollars (\$200.00)~~ to the Board upon application.
  - (d) At the discretion of the Board, a Certified Trainer may be personally disciplined by the Board, the Certified Trainer's certification may be suspended or revoked by the Board, and a Certified Trainer may be referred for criminal prosecution for violations of the Act or violation of rules adopted by the Board.

**Author:** Alabama Security Regulatory Board

**Statutory Authority:** Code of Ala. 1975, §34-27C-3(a)(1)

**History:** Adopted August 19, 2010

**832-X-1-.08 Training.**

**(1) General Training Requirements.**

- (a) The Board requires that a person applying for a personal license as a Security Officer shall have completed at least 8 hours or Armed Security Officer shall have completed at least 14 hours of Board approved classroom training with a Certified Trainer prior to applying for a license from the Board.
- (b) Any person who has minimum of five years of continuous experience as a Security Officer or Armed Security Officer at the time of application to the Board shall not be subject to the eight hours of classroom training required in §34-27C-8(a) if a Certified Trainer certifies the person has received at least 8 hours of classroom training as specified in §34-27C-8(a) at any time during the applicant's current period of employment.
- (c) Any training certificate, verification of training, certification of training, or any other training documentation or record provided to any training course attendee by a Certified Trainer shall contain, at minimum, the name of the course, the date that the training was completed, a declaration that the attendee successfully completed the course, and the name, certification number, and original signature of the Certified Trainer who conducted the training.
- (d) An applicant for a personal license claiming an exemption for training requirements as permitted by 34C-27-8(d) shall provide proof of training received or prior continuous experience as requested by the Board. Failure or refusal to provide the requested proof shall be grounds for denial of licensure by the Board.
- 1. Successful completion of Board mandated training shall be determined by the attendee achieving an acceptable score on a written test related to the course subject matter or achieving an acceptable qualification score on a firearm qualification course.
- (e)

(2) **Armed Security Officer Training Requirements.**

- (a) Prior to using any firearm for any regulated service or activity, an Armed Security Officer shall have successfully completed the appropriate Board-mandated qualification course for the firearm-type to be used.
- (b) Firearms Safety Training as required by §34-27C-8(c) shall include, but may not be limited to, achieving a passing score on a Board-mandated qualification course with a handgun, shotgun and rifle, instruction on the use of force laws of the State of Alabama, and instruction on the safe handling and storage of firearms.
- (c) Firearms Refresher Training as required by §34-27C-8(c) shall include, but may not be limited to, achieving a passing score on a Board-mandated qualification course with a handgun, shotgun and rifle.
- ~~(d) Achieving a passing score on a Board mandated qualification course with a handgun, shotgun and rifle shall be proof that an Armed Security Officer has completed two hours of Board-required Armed Security Officer training.~~
- ~~(e)~~ (d) Approved firearms qualification courses.
  - 1. The Alabama Peace Officers Standards and Training Commission qualification course of fire, target, scoring method and minimum score for handgun, shotgun or rifle that is current at the time of qualification is an approved qualification course for Armed Security Officers.
    - (i) Active peace officers who successfully complete the mandatory annual Alabama Peace Officers Standards and Training Commission qualification course as a requirement of employment have met the requirements of this section.
  - 2. Any National Rifle Association (NRA) course of fire, target, scoring method and minimum score for handgun, shotgun, or rifle that is officially approved by the NRA Law Enforcement Activities Division for use by a NRA-defined 'Private Law Enforcement Organization' for firearms qualification is an approved qualification course for Armed Security Officers.
    - (i) A Contract Security Company utilizing any NRA firearm qualification course must apply for, receive from, and maintain an 'Agency Affiliation' with the NRA and must

follow all NRA Law Enforcement Activities Division rules applicable to a 'Private Law Enforcement Organization'.

3. The Alabama Security Regulatory Board approved firearm qualification course for handgun, shotgun and rifle is an approved qualification course for Armed Security Officers.

(3) **Conduct of Training**

Certified Trainers shall select training subject matters from the Board's list of Approved Subject Matter Categories when conducting Board required training.

All Board required training time requirements shall be measured in contact hours.

The Board shall accept the following training methods for all Board required training

(a) Classroom presentation: Classroom presentations shall be measured in Contact Hours.

(b) Video-based training, either disk or streaming: Video-based training shall be measured in Contact Hours by including the time length of the video presentation plus any related classroom presentation.

~~(c) Assigned reading: Assigned Reading Contact Hours shall be determined using the measure of 100 words is equivalent to one minute of training. (MUN- reading material containing approximately 5000 words is equivalent to one Contact Hour of training, material containing approximately 2500 words is equivalent to one half Contact Hour of training, etc...)~~

~~(d) Live Fire Range Participation: Achieving a PASS score on any Board approved firearms qualification course shall be equivalent to two (2) Contact Hours. All other live fire range participation shall be measured in Contact Hours.~~

All Board required training shall require testing in writing on any subject matter presented in training. All testing conducted for Board required training shall be graded using 'PASS' -or- 'FAIL' scoring and shall require a minimum grade of seventy percent (70%) to pass.

(4) **Uncertified Trainers.**

A Certified Trainer must supervise training provided by an Uncertified Trainer for Board required training purposes.

Training provided by an Uncertified Trainer for Board purposes shall comply with all Board training requirements for Approved Subject Matter Categories, Conduct of Training, Proof of Training, and Training Recordkeeping Requirements.

It shall be the responsibility of the supervising Certified Trainer to review all course lesson plans, training materials, and training methods to ensure that any training provided by an Uncertified Trainer meets all Board training requirements.

The supervising Certified Trainer shall monitor all training conducted by an Uncertified Trainer to ensure compliance with Board training requirements.

The supervising Certified Trainer shall administer and score all testing relating to any Board required training conducted by an Uncertified Trainer.

In addition to any proof of training documentation provided by an Uncertified Trainer, the supervising Certified Trainer shall issue a separate proof of training document from the Certified Trainer as required by Board rules.

(5) **Approved Subject Matter Categories.**

All Board required training content shall comply with the Approved Subject Matter Categories as defined by the Board.

The following subject matter categories are acceptable for any training requirements of the Board;



- (1) Role of Contract Security: Subjects related to the general purpose and nature of Contract Security Companies and their employees, including but not limited to;
  - (a) Crime Awareness and Prevention
  - (b) Private Security and the Criminal Justice System
  - (c) Ethics and Professionalism
- (2) Legal Information Relevant to Providing Security Services: Subjects related to legal considerations and concerns (required during initial training), including but not limited to;
  - (a) Overview of Section 34-27C, Code of Alabama
  - (b) Overview of Alabama Security Regulatory Board rules
  - (c) Alabama Criminal Law; Violations, Misdemeanors and Felonies
  - (d) Detention Procedures and Alabama Laws of Arrest (required during initial training)
  - (e) Alabama Use of Force Laws (required for Armed Security Officers)
  - (f) Federal Laws related to Providing Security Services in Alabama
  - (g) Civil Liability
  - (h) Evidence Collection, Documentation, and Retention
  - (i) Testifying in Court or Other Proceedings (e.g., disciplinary hearings, internal corporate hearings, board hearings, etc...)
- (3) Providing Security Services: Subjects specific to security methods and techniques, including but not limited to;
  - (a) General Patrol Techniques
  - (b) Crimes & Incidents in Progress

- (c) General Workplace Environmental, Health & Safety Concerns
  - (d) Security Officer Safety
  - (e) Observation and Information Gathering
  - (f) Note Taking and Report Writing
- (4) Methods of Handling Crisis Situations: Subjects related to responding to emergency situations and critical events (required during initial training), including but not limited to;
- (a) General Emergency Response Procedures
  - (b) Fire Prevention and Control (required during initial training)
  - (c) Methods of Crowd Control (required during initial training)
  - (d) Bomb Threats
  - (e) First Aid, CPR, Automatic External Defibrillator
  - (f) Hazardous Weather Conditions
  - (g) Hazardous Materials
  - (h) Terrorism
  - (i) Evacuation Procedures
- (5) Use of Equipment Needed in Providing Security Services: Subjects about security equipment, their purpose and use (required during initial training), including but not limited to;
- (a) Patrol Documentation Systems
  - (b) Video Monitoring and Documentation Systems
  - (c) Alarm Systems
  - (d) Access Control Systems
  - (e) Fire extinguishers and Fire Suppression Systems
  - (f) Firearms (see additional Board rules relating to this subject)

- (g) Less-Lethal Weapons (see additional Board rules relating to this subject)
- (h) Restraints (see additional Board rules relating to this subject)
- (i) Motor Vehicle Operations for Security
- (6) Customer Service Issues: Subjects addressing Customer Service considerations, including but not limited to;
  - (a) Public relations
  - (b) Interpersonal Communications
- (7) Specialized Security Services: Subjects about providing security in unusual, uncommon, and/or unique locations or environments, including but not limited to;
  - (a) Hospital/Medical Facility Security Considerations
  - (b) Financial Institution Security Considerations
- (6) **Less-lethal Weapons**

No person, including a Certified Trainer, shall provide instruction and certification in the use of a Less Lethal Weapon to any individual regulated by the Board unless the instructor has been authorized to instruct and certify others in the use of the particular Less Lethal Weapon by the Less Lethal Weapon's manufacturer or by an Independent Instructor Certifying Authority.

No person licensed by the Board shall carry on their person or use a Less Lethal Weapon during any regulated activity without prior training and certification in the use of the particular Less Lethal Weapon by a trainer who has been authorized to instruct others in the use of the particular Less Lethal Weapon by the Board.

Restraints

- (c) No person, including a Certified Trainer, shall provide instruction and certification in the use of a Restraint to any individual regulated by the Board unless the instructor has been authorized to instruct and certify others in the use of the particular Restraint by the Restraint manufacturer or by an Independent Instructor Certifying Authority.
  - (d) No person licensed by the Board shall carry on their person or use a Restraint during any regulated activity without being trained and certified to so by a trainer who has been authorized to instruct others in the use of the particular Restraint by the Board.
  - (e) Unauthorized carry or use
  - (f) No person licensed by the Board shall carry on their person or use a Less Lethal Weapon or Restraint in violation of any rule, regulation, policy, practice or procedure of their employer.
- (7) **Certified Trainers shall develop, maintain, and instruct based upon current lesson plans for all training conducted for Board purposes.**

Lesson Plans shall include the following minimum information at the beginning of the Lesson Plan;

- (1) Name and Board License Number of the Certified Trainer conducting the Training
- (2) Lesson Subject: The subject name shall be relevant to the material being instructed
- (3) Subject Matter Category: the Approved Subject Matter Category the material is relevant to.
- (4) Contact Hours: Training Contact Hours as determined by Board rules.
- (5) Method of Instruction: Classroom Presentation/Video-based Training/Assigned Reading

- (6) Training Material Required: a list of all training material used during the course of instruction (e.g., handouts, presentation files, video names & locations, etc...).

**(8) Proof of Training.**

1. Certified Trainers shall provide proof of training to all attendees who both participate in the training offered and pass the required test on the subject. Proof of training may be in any form that documents the following;

- (i) Name, ~~and~~ Board License Number of the Participant, and date of completion
- (ii) Name and Board-issued Certified Trainer Number of the Certified Trainer
- (iii) Lesson Subject
- (iv) Subject Matter Category
- (v) Contact Hours

(vi) Individual participants are responsible for receiving, maintaining, and reporting to the Board as required, all Board required training attended by the individual.

**(9) ~~Proof of Training.~~**

~~Certified Trainers shall provide proof of training to all attendees who both participate in the training offered and pass the required test on the subject. Proof of training may be in any form that documents the following;~~

- ~~(1) Name and Board License Number of the Participant~~
- ~~(2) Name and Board issued Certified Trainer Number of the Certified Trainer~~
- ~~(3) Lesson Subject~~
- ~~(4) Subject Matter Category~~
- ~~(5) Contact Hours~~

~~Individual participants are responsible for receiving, maintaining, and reporting to the Board as required, all Board required training attended by the individual.~~

~~(10~~ **9) Certified Trainers shall retain training records for a period of three (3) years.**

(a) Certified Trainers shall permit inspection and photocopying of any training records as requested by the Board, or any Designee of the Board immediately upon request.

(b) Certified Trainers shall deliver to the Board any training records as requested in writing by the Board within five (5) business days of receipt of the request.

~~(11~~ **10) Firearms: Handgun Qualification Course.**

(a) The Alabama Security Regulatory Board Handgun Qualification Course shall be;

(b) Total Rounds: 30

(c) Approved Target: Standard FBI "Q" target, any color, paper or cardboard.

(d) Scoring: All shot holes completely inside of the scoring silhouette count. Shot holes breaking the edge of the scoring silhouette or outside of the silhouette DO NOT COUNT.

(e) Passing Score: 80% (24 rounds completely inside the scoring silhouette)

(f) Ammunition Management is the responsibility of the shooter. Shooters reload ON THEIR OWN. No reloading commands or reminders will be given during the course of fire.

(g) Start position is from secured holster with hands at side OR from a two-handed Ready Position as noted. Two-handed shooting is permitted for all Stages.

(h) After completing a string of fire, shooters should LOWER their weapon below their line of sight, SCAN the surrounding area for other threats. Once the SCAN is complete, shooters shall either HOLSTER and SECURE their handgun or remain at a Ready Position (as noted).

(i) Reloading and any actions after the required number of rounds fired in a string are not timed.

(j) A shooter must complete the entire course of fire once the first shot is fired during a qualification attempt. Shooters who do not complete the course of fire, or who do not achieve a PASS score, must fire the entire course again, not just the incomplete or failed portion.

(k) STAGE ONE: 3 YARDS

1. Draw and fire 3 rounds in 5 seconds: Lower, Scan, Holster & Secure.

2. Draw and fire 3 rounds in 5 seconds: Lower, Scan, Ready Position.

3. From Ready Position, fire 3 rounds in 4 seconds: Lower, Scan, Ready Position.

4. From Ready Position, fire 3 rounds in 4 seconds: Lower, Scan, Holster & Secure.

(1) STAGE TWO: 7 YARDS

1. Draw and fire 4 rounds in 6 seconds: Lower, Scan, Holster & Secure.

2. Draw and fire 4 rounds in 6 seconds: Lower, Scan, Holster & Secure.

3. Draw and fire 4 rounds in 6 seconds: Lower, Scan, Holster & Secure.

(m) STAGE THREE: 15 YARDS

(1) Draw and fire 2 rounds in three seconds: Lower, Scan, Holster & Secure.

(2) Draw and fire 2 rounds in three seconds: Lower, Scan, Holster & Secure.

(3) Draw and fire 2 rounds in three seconds: Lower, Scan, UNLOAD and let the Instructor verify that the weapon is unloaded, Holster & Secure (unloaded).

**(12 11) Firearms: Shotgun Qualification Course.**

(a) The Alabama Security Regulatory Board Shotgun Qualification Course shall be;

(b) Total Rounds: 10

(c) Approved Target: Standard FBI "Q" target, any color, paper or cardboard.

(d) Scoring: All shot holes completely inside of the scoring silhouette count. Shot holes touching the edge of the scoring silhouette or outside of the scoring silhouette DO NOT COUNT.

(e) Passing Score: 100% (10 rounds completely inside the silhouette)

(f) Ammunition Management is the responsibility of the shooter. Shooters reload ON THEIR OWN. No reloading commands or reminders will be given during the course of fire.

(g) Start position is 'Port Arms' OR 'Shoulder Ready' as noted. Safeties are to be in the ON position and pushed OFF only on the signal to fire.

(h) After completing a string of fire, shooters should place the safety in the ON position, LOWER their weapon before their line of sight then SCAN the surrounding area for other



threats. Once the SCAN is complete, shooters shall enter return to Port Arms or remain at a Shoulder Ready (as noted).

(i) Reloading and any actions after the required number of rounds fired in a string are not timed.

(j) Shooters who fail to qualify must fire the entire course, not just the portion they fail.

(k) STAGE ONE: 25 YARDS

1. Load to Cruiser Safe (magazine loaded, chamber empty) with 1 round and go to Port Arms position.
2. On Command, fire 1 round Standing, Combat Load 1 round. Drop to Kneeling and fire 1 round in 15 seconds.
3. AFTER firing: Ejection Port Load 1 round, and TAC Load the magazine full.

(l) STAGE TWO: 15 YARDS

1. From Shoulder Ready, on command fire 2 rounds Standing and 1 round Kneeling in 8 seconds.

(m) STAGE THREE: 7 YARDS

1. From High Tuck: on command fire 3 rounds in 10 seconds.
2. From Shoulder Ready; on command fire 1 round, move right or left and fire 1 round in 6 seconds.
3. UNLOAD and let an Instructor verify that the weapon is unloaded, Secure the unloaded weapon.

**(13 12) Firearms: Rifle Qualification Course.**

(a) The Alabama Security Regulatory Board Rifle Qualification Course shall be;

(b) Total Rounds: 30

(c) Approved Target: Standard FBI "Q" target, any color, paper or cardboard.

(d) Scoring: All shot holes completely inside of the scoring silhouette count. Shot holes touching the edge of the scoring silhouette or outside of the scoring silhouette DO NOT COUNT.

(e) Passing Score: 100% (30 rounds completely inside the silhouette)

(f) Ammunition Management is the responsibility of the shooter. Shooters reload ON THEIR OWN. No reloading commands or reminders will be given during the course of fire.

(g) Start position is 'Safety Circle' (weapon on-sling, muzzle down & pointed in safe direction, finger off trigger) or "Shoulder Ready" position (as indicated). Safeties are to be in the ON position and pushed OFF only on the signal to fire.

(h) After completing a string of fire, shooters should place the safety in the ON position, LOWER their weapon below their line of sight then SCAN the surrounding area for other threats. Once the SCAN is complete, shooters shall either return to Safety Circle position.

(i) Reloading and any actions after the required number of rounds fired in a string are not timed.

(j) Shooters who fail to qualify must fire the entire course, not just the portion they fail.

(k) Magazine Loading: Load ONE magazine with 2 rounds. All other magazines may be loaded to full capacity.

(1) STAGE ONE: 50 YARDS

1. Load fully-loaded magazine, load a round in the chamber, Safety on, and go to the Safety Circle position.

2. On Command, drop to Kneeling Position and fire 3 rounds in 20 seconds. Remain in Kneeling Position, Safety ON.

3. On Command, drop to Prone Position and fire 3 rounds in 20 seconds. Remain in Prone Position, Safety ON.

4. Verify rifles are on Safe. Assume standing, Shoulder-Ready position and tactically advance to the 25 yard line.

(m) STAGE TWO: 25 YARDS

1. Place Rifle in Cruiser-Safe Condition and go to Safety Circle position behind cover.

2. On Command, Using Cover from the Standing Position, fire 3 rounds from Strong-Side shoulder/Strong-Side cover, Transfer Rifle to Support-Side shoulder and fire 3 rounds from Support-Side cover in 25 seconds.

3. After allotted time: Instruct shooters to perform a TAC reload from behind cover with the 2-round magazine (Shooters should have one round in the chamber and 2-rounds in the magazine).

4. Verify rifles are on Safe. Using a standing, Shoulder-Ready position, tactically advance to the 15 yard line.

(n) STAGE THREE: 15 YARDS

From the Safety Circle position:

1. On Command, fire 3 rounds in the Standing position,

perform a Speed Reload while moving to a Kneeling Position, then fire 3 rounds from the Kneeling in 25 seconds.

2. Verify rifles are on Safe. Using a standing, Shoulder-Ready position, tactically advance to the 7 yard line.

(o) STAGE FOUR: 7 YARDS

From Shoulder-Ready position:

1. On Command, fire 3 rounds in 2 seconds.
2. On Command, fire 2 rounds to Center Mass & 1 round to 'head' in 3 seconds.

From Safety Circle position:

1. On command fire 2 rounds in 3 seconds.
2. Face to the Right to engage the target to the Shooters LEFT: On command, orient toward the target and fire 2 rounds in 3 seconds.
3. Face to the Left to engage the target to the Shooters RIGHT: On command, orient toward the target and fire 2 rounds in 3 seconds.
4. Verify rifles are Safe (magazine out, chamber visually verified as empty, safety on, on sling muzzle down.)

**(1213) Firearms: Qualification Attempt Limits.**

~~A person shall not make more than two (2) qualification attempts in any twenty four (24) hour period. If a person fails to qualify after four (4) consecutive qualification attempts, the person is prohibited from making another qualification attempt for one (1) year after the fourth failed qualification attempt.~~

All Armed Guards are required to qualify with their assigned handgun, shotgun or rifle at least once a calendar year. Every officer is required to shoot a qualifying score of no less than 80%. An officer who fails to qualify during the initial attempt will immediately be given a second opportunity to qualify. In the event an officer fails at both attempts it will be counted as one Official Failure of Guard Firearms Standards.

Any officer who officially fails to initially qualify will receive eight (8) hours of remedial training and will be given two more additional attempts to qualify. (A total of 4 attempts, 2 initial under the official attempt and two after 8 hours of remedial training for a total of 4 separate shooting attempts.)

Any officer failing to qualify after eight hours remedial training will be removed from an armed post and will not be allowed to retry for a minimum of one year.

**Author:** Alabama Security Regulatory Board

**Statutory Authority:** Code of Ala. 1975, §34-27C-3(a)(1)

**History:** Adopted August 19, 2010; Amended September 16, 2010.  
Amended: June 29, 2012; Effective: August 3, 2012.

**832-X-1-.11      Inspection of Licensees.**

- 1) Inspections may be initiated by the Board at any time during normal and reasonable business hours after licensure, which may include but are not limited to determining compliance with the training requirements ~~rules governing licensees~~. Failure to cooperate with such inspection may lead to disciplinary action by the Board.
- 2) During an inspection of a licensed contract security company, the Board may review security officer personnel records to ensure officers are in compliance with ~~licensing~~ and training. During an inspection of an unlicensed contract security company, the Board may review security officer personnel records to ensure officers are in compliance with licensing and training.
- 3) The Board may review training records and criteria to ensure the company is in compliance with the training requirements set forth in Chapter 832-X-1-.08. The Board may also review trainers employed with the security company to ensure compliance with licensing requirements set forth in Chapter 832-X-1-.07.
- 4) ~~The Board may review any documents of the security company or business pertaining to compliance with the Alabama Regulatory Security Board Statute, § 34-27C-1 (3), Code of Ala., 1975.~~

**Author:** Alabama Security Regulatory Board

**Statutory Authority:** Code of Ala. 1975, §34-27C-3(a)(1)

**History:** Filed, December 6, 2012; Effective, May 9, 2013.

### **832-X-1-.12 State of Emergency License Procedures**

- (1) Upon the declaration of the Governor of a state of emergency, the Board may authorize the operation of an out-of-state contract security company and their licensed security guards within the state for the duration of the state of emergency and up to a maximum of 30 days after the expiration of the state of emergency.
- (2) Any out-of-state contract security company to operate in the state under a state of emergency declaration, shall meet all the following requirements:
  - (a) Hold a license in another state in which the qualification, insurance, training and other requirements for licensure are substantially similar to those required by this chapter, as determined by the Board.
  - (b) Submit an application for a Contract Security Guard Company along with a list of all duly licensed security and armed security guards that will be working in the state during the state of emergency.
- (3) There shall be no fees assessed to any out-of-state contract security company that complies with the above requirements to work in the state during a state of emergency declared by the Governor.

### **832-X-1-.13 Discipline of a License**

- (1) When charges are made against a licensee through a written complaint which would justify suspension or revocation, if proven, notice of the specific nature of the charges and the time and place of a hearing will be served upon the accused by registered mail and addressed to the last known address on record, not less than twenty-one (21) days before the date fixed for such hearing.
- (2) The Board may suspend, revoke, or refuse to issue or renew a license after notice and opportunity for the applicant/licensee to be heard, upon proof of any of the following actions:

(a) Failure to meet any requirement established by law or by rule adopted by the Board.

(b) Engaging in fraud, misrepresentation, deception, or concealment of a material fact in applying for, receiving, or maintaining a license or certification with the Board.

(c) Having a disqualifying conviction as defined by the Board.

(d) Failure to pay all fees required by the Board.

(e) Making any payment to the Board that is dishonored.

(f) Having a comparable license or certification denied, revoked, or suspended in any other jurisdiction.

(g) Having a formal disciplinary action pending in any jurisdiction before any regulatory authority that is comparable in purpose to the Board.

(h) Failure to comply with any refresher training requirements.

(i) Failure to pay any fine assessed by the Board within 15 calendar days of final notice of the assessment.

(j) When there is probable cause to believe that a licensed Contract Security Company or a person with a current license or certification from the Board has violated the Act or any rule adopted by the Board.

(k) Any other reason as determined by the Board that a Contract Security Company or person is unsuitable for licensure or certification by the Board.

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#### **832-X-1-.14 Appeals**

An appeal of a denial, suspension or revocation of a license or certification by the Board shall be considered a contested case as defined by, and for the purposes of, the Alabama Administrative Procedures Act. Any person or entity aggrieved by any final action of the board may appeal within 30 days to the Circuit Court of Montgomery County.